

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

**FILED**

SEP 27 2018

Clerk, U.S. District Court  
District Of Montana  
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JODY LYN BENNETT,

Defendant.

CR 18-25-M-DWM

**PRELIMINARY ORDER OF  
FORFEITURE**

The United States having moved unopposed for a preliminary order of forfeiture, the Court finds:

THAT the United States and the Defendant, JODY LYN BENNETT, entered into a plea agreement that provides a factual basis and cause to issue a forfeiture order under 21 U.S.C. § 853(a)(1) and (2), 21 U.S.C. § 881(a)(11), and 18 U.S.C. § 924(d);

THAT prior to the disposition of the assets, the United States Marshal's Service, or its designated sub-custodian, is required to seize the forfeited property;  
~~and~~

THAT 21 U.S.C. § 853(n)(1) requires that third parties who may have an interest in the property receive notice, via publication, or to the extent practical,

direct written notice of the forfeiture and the United States' intent to dispose of the property.

Accordingly, IT IS ORDERED:

THAT the Defendant, JODY LYN BENNETT'S, interest in any property, real or personal, involved in the offenses pleaded to in the Indictment, and any property traceable to such property, is forfeited to the United States in accordance with 21 U.S.C. § 853(a)(1) and (2), 21 U.S.C. § 881(a)(11), and 18 U.S.C. § 924(d). That property consists specifically of the following items:

- One LG cell phone, black in color;
- Empty Magazine for Ruger American 9mm Pistol, S/N 86060847;
- Empty Magazine for Phoenix Arms Raven .25 Caliber Pistol with Pink Handle;
- 5 Loaded Magazines for .45 caliber;
- Samsung Galaxy S7 Cell Phone with Clear Green Case with Micro SD Card. Green Ammo Box Containing approx: 130 Rounds of 7.62 Caliber Ammo;
- 200 Rounds 9mm Caliber ammo; 44 Rounds of .45 Caliber Ammo; 20 Rounds of .303 Caliber Ammo; 40 Rounds of .223 Caliber Ammo; 100 Rounds of 5.56 Caliber Ammo; 150 Rounds of .17 Caliber Ammo; 87 Rounds of .22 Caliber Ammo; and Miscellaneous Gun Parts;
- Box of PPU 5.56 Ammo containing Approx 20 rounds; Box of Federal 5.56 Ammo containing Approx 20 Rounds; Approx 72 Rounds o f 7.62 Ammo Removed from Magazines; Approx 40 Rounds 5.56 Ammo Removed from Magazines;

- Black Fabric Gun Case, Black Nylon Strap, and 5 Magazines with Ammo Removed and Grip;
- Norinco SKS Rifle, S/N: 57184;
- Aimpoint Optic Site and Spartan Light Attached to Stoner SR-15;
- Stoner Rifle SR-15, S/N: KM904582;
- Leopold Scope and Sling attached to Remington 700 Rifle and Soft Tan/Black Gun Case;
- Remington Arms 700 Rifle, S/N: S6344544 Packaged in Soft Tan/Black Gun Case;
- Burris Scope attached to CZ 452.2E .17 caliber rifle and empty magazine;
- CZ 452.2E .17 Caliber Rifle, S/N: A185299;
- Green Nylon Sling attached to Lithgow Infield 303 Rifle, empty magazine, and Soft Tan/Brown Gun Case;
- Lithgow Infield 303 Rifle, S/N e7866 (Packaged in Soft Tan/Brown Gun Case);
- Westernfield XNH-806 with no visible serial number;
- Bushnell Scope attached to Winchester 70 Rifle; Empty Magazine; and Black Hard Sided Gun Case;
- Black Fabric Pistol Case;
- 13 Rounds of 9mm ammunition removed from Ruger pistol;
- Ruger American 9mm pistol, S/N;
- Citadel 1911 .45 caliber pistol, S/N: CIT004715;
- Phoenix Arms Raven .25 caliber pistol with pink Handle, S/N: 3103626;

- Sixteen 20 Gauge Shotgun Shells; Seventeen 12-Gauge Shotgun Shells in Fabric Case;
- Box of Fusion Brand .243 Ammo Containing Approx. 20 Rounds;
- 12 Rounds of .40 Caliber Ammo Removed from Magazine from Glock;
- Empty Magazine for Glock .22 pistol and Rubber Grip on Glock;
- Glock .22 Pistol, S/N UXA004;
- 1 Box Containing Approx 50 Rounds of .45 Caliber Ammunition;
- Silver Samsung Cell Phone with Cracked Back with Cord; and
- \$551;

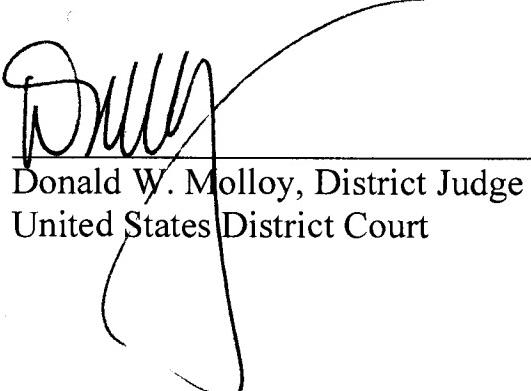
THAT the United States Department Marshal's Service, or its designated sub-custodian, is directed to seize the property subject to forfeiture and further to make a return as provided by law;

THAT the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General of the United States may direct, pursuant to 21 U.S.C.

§ 853(n)(1), and to make its return to this Court that such action has been completed; and

THAT upon adjudication of all third-party interests, if any, the Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n)(7) and Fed. R. Crim. P. 32.2(c)(2), in which all interests will be addressed.

DATED this 27<sup>th</sup> day of September, 2018.

  
Donald W. Molloy, District Judge  
United States District Court